

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Case No. 19-071-JLR

Plaintiff

V.

## ITERANCE ROY HOWARD.

Defendant

[PROPOSED] ORDER CONTINUING  
TRIAL

This matter comes before the Court on Defendant Howard's' unopposed motion to continue the trial date now set for December 30, 2019. Mr. Howard has executed a speedy trial waiver up to and including June 30, 2020. Having considered the motion and speedy trial waivers, the Court

**FINDS:**

1. Taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny defense counsel reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, gather evidence material to the defense, and as well as counsel's trial schedule, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv);

2. Failure to grant a continuance would likely result in the miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

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CAMIEL & CHANEY, P.S.  
520 PIKE STREET, SUITE 2500  
SEATTLE, WA 98101

3. The additional time requested is a reasonable period of delay, as Defendant requested more time to prepare for trial, investigate the matter, review additional new discovery, gather evidence material to the defense, and consider possible defenses; and

4. The ends of justice will best be served by a continuance, and the ends of justice outweigh the best interests of the public and Defendants in any speedier trial, as set forth in 18 U.S.C. § 3161(h)(7)(A);

5. Mr. Howard has executed a valid speedy trial waiver through June 30, 2020;

6. The additional time requested between the current trial date of December 30, 2019, and the new trial date is necessary to provide defense counsel reasonable time to prepare for trial considering counsel's schedule and all of the facts set forth above.

For the foregoing reasons, Defendant Howard's unopposed motion to continue the trial date is GRANTED. It is therefore ORDERED that the trial date be CONTINUED from December 30, 2019 to April 6, 2020, and that the time between the date of this order and the new trial date is excludable time under the Speedy Trial Act, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), 3161(h)(7)(B)(ii), and 3161(h)(7)(B)(iv). Any pretrial motions shall be filed no later than the 27<sup>th</sup> day of February, 2020.

Dated this 8 day of November, 2019.

United States District Court Judge

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CAMIEL & CHANEY, P.S.  
520 PIKE STREET, SUITE 2500  
SEATTLE, WA 98101  
PETER A. CAMIEL (206) 624-1551  
CATHERINE A. CHANBY (206) 343-7642